

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001)	
)	03 MDL No. 1570 (RCC)
)	
)	ECF Case
)	
)	

This Document Relates to: All Cases

ORDER

The Court has considered the submissions and arguments of the parties and finds as follows: Defendant Mohammad Abdullah Aljomaih (spelled “Mohammed bin Abdullah Al-Jomaith” in several cases) died in late April 2004. His estate filed a Suggestion of Death under Rule 25 on September 15, 2004. The 90 day period for moving to substitute another party for the late Mr. Aljomaih provided by F.R. Civ. Pro 25(a)(1) expired without any action from plaintiffs in any of the consolidated cases. Plaintiffs have not offered a reasonable basis for their failure to comply with Rule 25. In addition, in the Burnett case, the Court has already concluded that it lacks personal jurisdiction over Mr. Aljomaih. See 1/18/05 Opinion. Therefore, it is

ORDERED that the 90 day period for a motion to substitute provided by Rule 25(a)(1) shall not be extended, and all claims against Mr. Aljomaih in the consolidated cases¹ shall be dismissed with prejudice.

¹ It appears that Mr. Aljomaih is named as a defendant in the following cases that are part of this MDL proceeding: Burnett v. Al Baraka Investment & Development Corp. No. 1:03 cv 5738; Burnett v. Al Baraka Investment & Development Corp. No. 1:03 cv 9849; Federal Ins. Co. v. Al Qaida No. 1:03 cv 6978; World Trade Center Properties LLC v. Al Baraka Investment & Development Corp. No. 1:04 cv 7280; Euro Brokers v. Al Baraka Investment & Development Corp. No. 1:04 cv 7279; New York Marine and General Ins. Co. v. Al Qaida No 1:04 cv 6105.

United States District Judge

Dated _____, 2005